

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2742

A Bylaw to regulate Fire Protection and Associated Services in within defined portions of Electoral Area K.

WHEREAS the Board of the Regional District of Central Kootenay, by separate bylaw, has established a Fire Protection Service Area to provide fire prevention, suppression, and other approved Associated Services in a defined portions of Electoral Area K;

AND WHEREAS the Board of the Regional District of Central Kootenay deems it expedient to regulate Fire Protection and other approved Associated Services in a defined a portion of Electoral Area K;

AND WHEREAS the Council of the Village of Nakusp has established a fire department known as the Nakusp Fire & Rescue Service for the purpose of providing Fire Protection and other approved Associated Services;

AND WHEREAS the Board of the Regional District of Central Kootenay has entered into an agreement with the Village of Nakusp to operate a Fire Protection service and approved Associated Services in a defined portions of Electoral Area K;

NOW THEREFORE the Board of the Regional District of Central Kootenay in open meeting assembled enacts the following:

DEFINITIONS

1 In this bylaw:

Apparatus means any vehicle provided with machinery, devices, equipment or materials designed or intended for use in Fire Protection, Assistance Response, and other approved Associated Services including vehicles used to transport fire fighters and supplies.

ASTTBC means the Applied Science Technologists and Technicians of BC.

Assistance Response means the initial response and emergency aid, other than Fire Protection, provided by the Fire Department at an Incident (as defined in this bylaw).

Associated Services means fire response, auto extrication, first responder, and rescue services.

Authority Having Jurisdiction means the Municipal Fire Chief or a designate authorized to exercise some or all of a LAFC's power.

Board means the Board of the Regional District of Central Kootenay;

Bylaw Enforcement Officer means a person appointed by the Board as a Bylaw Enforcement Officer and for the purposes of This Bylaw also includes the Municipal Fire Chief.

Bylaw Notice means a notice issued under this bylaw to a person that has failed to comply with the regulations, prohibitions and requirements of this bylaw and that the person must comply within a certain period of time and meet certain conditions.

Costs in the context of costs recovered by the Fire Department under this bylaw, means costs as defined in the Regional District of Central Kootenay Municipal Ticketing Information Bylaw and the Regional District of Central Kootenay Bylaw Enforcement Notice and Dispute Adjudication System Bylaw.

Council means the elected Council of the Village of Nakusp.

Exposure Fire means a fire that:

- (a) is the result of heat radiation, heat convection or direct flame contact from a fire that is proximate to the Exposure Fire; and
- (b) affects a person, object, thing or structure.

Fee(s) means the Fees and charges prescribed in Schedule A of the bylaw.

Fire Alarm System(s) means one or more devices and other interconnecting parts of a system installed on or in real property and designed to warn Protective Services of a fire by activating an audible alarm signal and / or alerting a monitoring facility, but does not include an alarm system that is intended to alert only the occupants of the dwelling unit in which it is installed.

Fire Department means the Nakusp Fire & Rescue Service, a department of the Village of Nakusp.

Fire Protection means all aspects of fire safety and includes:

- (a) fire prevention within a specified response time;
- (b) fire fighting;
- (c) fire suppression;
- (d) BC Fire Code, fire hazard and fire safety inspections, including inspections required by the *Fire Services Act* and this bylaw;
- (e) pre-fire planning;
- (f) fire investigation;
- (g) inspecting, monitoring and advising on Hazardous Materials storage and handling;
- (h) public education and information in relation to fire safety and prevention; or
- (i) training, advising and other development of Members in relation to the activities listed as (a) to (i) in this definition.

Fire Protection Equipment means but is not limited to Fire Alarm Systems, automatic sprinkler systems, special fire extinguishing systems, portable fire extinguishers, standpipe and hose systems, fixed pipe fire suppression systems in commercial kitchen exhaust systems, and emergency lighting and power installations.

Fire Protection Service Area means the area of the jurisdiction of the Fire Department as defined in Section 4 of this bylaw.

Fire Protection Technician means a person certified by ASTTBC to inspect and test Fire Protection Equipment or systems.

Hazardous Materials has the same meaning as “dangerous goods”, as defined in the *Transportation of Dangerous Goods Act (Canada)*, i.e. “a product, substance or organism included by its nature or by the regulations in any of the classes listed in the schedule to that Act”.

Incident means:

- (a) a fire, explosion, or life threatening situation;
- (b) a situation where a fire, explosion or life threatening condition is imminent; or
- (c) a coordinated response from Members in an effort to reduce or eliminate harm.

Incident Commander means the Member in command and responsible for operations at an Incident.

Member means any person appointed by the Municipal Fire Chief as an employee or volunteer of the fire department, and includes the Municipal Fire Chief.

Municipal Fire Chief means a person appointed by Council to serve as Chief of the fire department.

LAFC means Local Assistant to the Fire Commissioner as defined in the *Fire Services Act*.

Occupier includes an Owner, tenant, lessee, agent, and any other person who has the care, control and the right of access to real property or a building.

Officer means a Member of the Fire Department appointed by the Municipal Fire Chief and given specific authority to assist the Municipal Fire Chief in their duties.

Order means taking a remedial action, giving an approval, making a decision or a determination or exercising a discretion under this bylaw and/or the BC Fire Code by the Authority Having Jurisdiction .

Peace Officer means, for the purposes of this bylaw only, a person employed as the Municipal Fire Chief or appointed as a LAFC to the Fire Commissioner for the Regional District, any person employed or appointed by the Regional District as a Bylaw Enforcement Officer, a Member of the Royal Canadian Mounted Police or any municipal police Officer.

Premises means Public Building, private building or real property.

Public Building means a factory, warehouse, store, mill, school, hospital, theatre, public hall, office building and any building other than a private dwelling house.

Regional District means the Regional District of Central Kootenay.

Regional Fire Chief means the person appointed by the Board to oversee Regional District Fire Services.

ADOPTION OF THE FIRE CODE

- 2 (1) The BC Fire Code is hereby adopted, has the same force and effect as this bylaw and is applicable within the boundaries of the Regional District.
- (2) In the event of any inconsistency between the provisions of this bylaw and the provisions of a statute or regulation enacted by the Government of Canada or the Province of British Columbia, if the provisions of the statute or regulation are more restrictive they shall apply.

SCOPE OF SERVICES

- 3 The Fire Department is authorized to provide Fire Protection and other Associated Services in accordance with this bylaw.

LIMITS OF JURISDICTION

- 4 The geographic limits of the jurisdiction of the Fire Department for Fire Protection and Associated Services is defined by the Regional District service establishment bylaw, as amended, for the service area which the Municipality has been contracted to provide service.

REGIONAL FIRE CHIEF'S AUTHORITY AND RESPONSIBILITIES

- 5 (1) The Regional Fire Chief is the administrative authority for Fire Protection, assistance response, and other Associated Services within the area specified by this bylaw.
- (2) The Regional Fire Chief is authorized to:
 - (a) Develop and enforce the agreements and contractual arrangements required for the provision of service;
 - (b) Appoint the Municipal Fire Chief the LAFC for the service area; and
 - (c) Review and make recommendation to the Board regarding proposed budgets submitted for the provision of Fire Protection, Assistance Response and Associated Services.

MUNICIPAL FIRE CHIEF'S AUTHORITY AND RESPONSIBILITIES

- 6 (1) The Municipal Fire Chief is the operational authority for Fire Protection, Assistance Response and other Associated Services within the area specified by this bylaw.

- (2) The Municipal Fire Chief is the head of the Fire Department and responsible for the management of the Fire Department and the condition of buildings, Apparatus and Fire Department equipment.
- (3) The Officers and Members of the Fire Department shall carry out the duties and responsibilities of the Fire Department assigned to them by the Municipal Fire Chief.
- (4) The Municipal Fire Chief is authorized to:
 - (a) administer this bylaw;
 - (b) enforce Regional District bylaws, rules, Orders and regulations respecting fire prevention and suppression and the protection of life and property and take measures to prevent and suppress fires;
 - (c) exercise the powers of the Fire Commissioner under Section 25 (1), (2), and (3) of the *Fire Services Act*, and for these purposes that section applies;
 - (d) exercise the powers of a LAFC to the Fire Commission under Section 24 of the *Fire Services Act*;
 - (e) fulfill the requirements of an ex officio LAFC to the Fire Commissioner in accordance with section 6(1) of the *Fire Services Act* including the LAFC's responsibilities under Sections 9 and 13 of that Act; and
 - (f) provide advice and make recommendations to Regional Fire Chief, other Members of the Fire Department and the public, as appropriate, in relation to:
 - (i) the provision of adequate water supply and pressure in relation to firefighting;
 - (ii) the enforcement of measures for the prevention or suppression of fire and the protection of life and property.
- (5) The Municipal Fire Chief or their designate has the authority at all times, by day or night, without notice, to enter onto any Premises, motor vehicle, vessel or railway rolling stock where an Incident has occurred, and, if necessary, those adjoining or near the Incident, to investigate in a general way the cause, origin and circumstances of each Incident occurring in the Fire Protection Service Area.
- (6) The Municipal Fire Chief or their designate, on complaint or, if believed advisable, has the authority at all reasonable hours, by day or night, without notice, to enter onto any Premises, motor vehicle, vessel or railway rolling stock to ascertain whether:
 - (a) they are in such a state of disrepair that a fire starting in them might spread rapidly to endanger life or other property;
 - (b) the use or occupancy of them would create a fire that would endanger life or property;
 - (c) combustible or explosive material is kept or other flammable conditions exist on them so as to endanger life or property; or
 - (d) a fire hazard exists in or about them.

AUTHORITY OF THE DEPARTMENT

- 7 (1) Any Member has the authority at all times, by day or night, without notice, to enter onto a Premises, motor vehicle, vessel or railway rolling stock where an Incident has occurred, and, if necessary, those adjoining or near the Incident, for the purpose of an Assistance Response and providing Fire Protection and Associated Services at any Incident the Fire Department attends.
- (2) Any Member has the authority at all times, by day or night, without notice, to enter onto a Premises, motor vehicle, vessel or railway rolling stock where a Fire Alarm System, automatic fire sprinkler system, or other fire or life safety system has activated and, if necessary, those adjoining or near, to investigate in a general way the cause, origin and circumstances of the activation of each Fire Alarm System, automatic fire sprinkler system or other fire or life safety system.
- (3) The Incident Commander shall have control, direction and management of all Apparatus, equipment or Members assigned to an Incident and, where a Member is in charge, he or she shall continue to act until relieved by a senior Officer or the Municipal Fire Chief.

- (4) The Incident Commander, while carrying out the duties in Sections 7(3) of this bylaw, is authorized to cause any Apparatus or equipment of the Fire Department to enter a Premises, motor vehicle, vessel or railway rolling stock, as he or she deems necessary.
- (5) The Incident Commander, is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he or she deems it necessary to prevent the spread of fire to other buildings, structures or things.
- (6) The Incident Commander is empowered during the Incident to enter, pass through or over buildings or property adjacent to an Incident and to cause Members of the Fire Department and the Apparatus and equipment of the Fire Department to enter or pass through or over buildings or property, where he or she deems it necessary to gain access to the Incident or to protect any person or property.
- (7) The Incident Commander, during an Assistance Response is empowered to commandeer privately owned equipment, which he or she considers necessary to deal with an Incident.
- (8) The Incident Commander has the authority, at all times, by day or night, to hire or engage the services of a Fire Protection service company to repair, inspect or maintain a building's Fire Protection Equipment that may require repair, inspection or maintenance and the actual cost to the Municipality of doing so may be recovered from the Occupier.
- (9) The Incident Commander has the authority, at all times, by day or night, to hire or engage the services of a traffic control provider to provide barricades, flagging personnel, pylons and other traffic control equipment to manage traffic on public and private roadways during an Assistance Response and the Cost to the Municipality of doing so may be recovered from the Occupier.
- (10) The Incident Commander has the authority, at all times, by day or night, to hire or engage the services of a security company, security person or provide Members at an Incident to maintain a building fire watch until the Occupier of the building is contacted or investigation is completed and the Costs to the Municipality of doing so may be recovered from the Occupier.
- (11) The Incident Commander in charge of an Incident may request persons who are not Members to assist in whatever manner he considers necessary to deal with an Assistance Response, including removing furniture, goods and merchandise from any building on fire or in danger thereof and in guarding and securing the same and in demolishing a building or structure at or near the fire or other Incident.
- (12) The Incident Commander in charge at an Assistance Response may at his or her discretion establish boundaries or limits around the Incident area and keep persons from entering the area within those established boundaries or limits.
- (13) The Incident Commander at an Incident may request police to enforce restrictions on persons entering within the boundaries or limits established under Sections 7(12) of this bylaw.

REGULATIONS & PROHIBITION

- 8** (1) No persons shall enter the boundaries or limits of an area prescribed in accordance with Section 7(12) of this bylaw unless they have been authorized to enter by the Fire Chief or Member in charge.
- (2) No person at an Incident shall impeded, obstruct or hinder a Member of the Fire Department or other person assisting or acting under the direction of the Regional Fire Chief, Municipal Fire Chief, or the Incident Commander.
- (3) No person shall damage or destroy Fire Department Apparatus or equipment.
- (4) No person at an Incident shall drive a vehicle over any equipment without permission of the Incident Commander.

- (5) No person shall falsely represent themselves as a Fire Department Member.
- (6) No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire Incident, fire hydrant, cistern or body of water designated for fire fighting purposes.
- (7) No person shall burn Prohibited Materials.
- (8) No person shall burn material brought from another location or property except clean dry seasoned firewood.
- (9) No person shall set, start or kindle open air burning or allow open air burning to continue to burn during winds strong enough to carry sparks to other combustibles.
- (10) No person shall knowingly make a false report of an emergency.

OPEN BURNING REGULATIONS

- 9 (1) Where the Municipal Fire Chief considers that conditions are not safe for open burning, he or she may impose a general ban on open burning, within the Fire Protection Service Area for the duration of those conditions.
- (2) Where the Municipal Fire Chief considers site specific conditions not safe for open burning, he or she may impose a site specific ban on open burning until those safety concerns are addressed.
- (3) Fires shall be extinguished immediately if smoke or ash is a nuisance to neighbours.
- (4) The Owner of the land on which the open burning takes place, is liable to the Municipality for Costs incurred by the Municipality for fire suppression, containment or protection against an Exposure Fire on the land by the Fire Department required as a result of any one or more of the following:
 - (a) non-compliance with the conditions of this bylaw or any other applicable regulations;
 - (b) weather; or
 - (c) contact with combustible materials which may or did create an Exposure Fire.
- (5) An Occupier who fails to comply with the regulations, conditions or requirements for open burning prescribed by this bylaw is subject to a Fee for the Assistance Response.

COMBUSTIBLE MATERIALS

- 10 (1) Owners and Occupiers of buildings must not allow or cause combustible materials in and around the buildings to accumulate in quantities or locations that will constitute a fire hazard.
- (2) If the Fire Department, by its own workforce or a third party contractor, removes combustible materials from in and around a building that have accumulated contrary to Section 10(1) of this bylaw, the Municipality's cost of the removal may be recovered from the Occupier.

VACANT AND FIRE DAMAGED BUILDINGS

- 11 (1) The owner of a vacant building must, at all time, keep all openings in such building securely closed and fastened so as to prevent entry by unauthorized persons.
- (2) The Occupier of a fire damaged building must, at all times, ensure that the building are guarded or keep all openings in the building securely closed and fastened so as to prevent entry by unauthorized persons.

- (3) The Fire Department may secure any vacant building or fire damaged building if the building's owner Occupier or does not comply with Sections 11(1) or 11(2) of this bylaw, and may recover the cost to the Municipality of doing so from the Occupier.

PLANS, INSPECTIONS, AND TESTING OF FIRE PROTECTION EQUIPMENT

- 12 (1) The Occupier of each Public Building in the Fire Protection Service Area must ensure that all Fire Protection Equipment and emergency lighting systems in their buildings are inspected and tested by a Fire Protection Technician in accordance with the requirements of the *Fire Services Act* and the regulations made under it.
- (2) When a Fire Protection Technician has inspected or tested Fire Protection Equipment pursuant to 12(1) of this bylaw, the Fire Protection Technician shall label the equipment and maintain records of the inspection in a manner acceptable to ASTTBC and the Fire Department .
- (3) The Occupier of a Public Building must provide the Municipal Fire Chief, upon request, the fire emergency procedures (Fire Safety Plan) conforming to the BC Fire Code.
- (4) The Occupier of a Public Building must notify the Fire Department immediately if the all or any part of the alarm system, automatic sprinkler system or Fire Protection Equipment in the Occupier's building becomes inoperable.
- (5) At the discretion of the Municipal Fire Chief the Occupier of an Public Building in which any of the alarm system, automatic sprinkler system, or emergency power system is not operating must institute and maintain in that building a fire watch, as described in Section 12(6) of this bylaw, until that system is in operation.
- (6) A fire-watch must include all of the following activities:
 - (a) posting of written notices at all entrances and exits on each floor stating that a fire watch is in effect and its expected duration;
 - (b) a physical inspection of all public areas equipped with a fire alarm detection device;
 - (c) notation in an entry book at least every hour of the conditions in the building by the person or persons performing the fire watch;
 - (d) provision on site of a communications device capable of making a 911 call; and
 - (e) posting of instructions in the building as to the alternate actions to be taken in the case of an emergency.
- (7) The Fire Department shall be notified when a system referred to in Section 12(5) of this bylaw, has been restored to its full operational capabilities.
- (8) An owner, who owns wholly or in part a single unit or multiple unit residence that is loaned, leased or rented, must ensure that:
 - (a) a minimum of one working smoke alarm is located and maintained in good repair outside each sleeping area within the residence; and
 - (b) at the time occupancy commences, the Occupier is informed of the functioning of the smoke alarm, the monthly method for testing the device, and the need for and means of reporting any malfunction or requirement for repair to the owner;
- (9) An owner must install both visual and auditory smoke alarms where it is evident that persons who are hearing challenged are or will be occupying the residence.
- (10) The Municipal Fire Chief may require the Occupier of a Public Building, to provide or make alterations to the building's Fire Protection Equipment including heat and smoke detection, alarm systems, exit signs, fire separations and means of egress, to provide adequate life safety to occupants. These requirements must not exceed those established by the regulations contained in the current BC Building Code or BC Fire Code and may include equivalencies as determined by the Municipal Fire Chief.

ADDRESSES

- 13** An Occupier must place an individual street address number on the front of every new or existing building in accordance with Regional District of Central Kootenay Civic Addressing Bylaw 2391, 2014 as amended from time to time.

FIRE DEPARTMENT ACCESS

- 14** (1) Occupiers must maintain and keep all street, yards, and private roadways provided for Fire Department access ready for use at all times.
- (2) Occupiers must maintain Fire Department access in compliance with the applicable codes and standards for such access, including Regional District bylaws.

FEES FOR SERVICES

- 15** (1) Fees for services, including Fire Department equipment and Members, are prescribed in Schedule A of this bylaw.
- (2) Additional Fees may be collected in relation to;
- (a) fees imposed, under this Act or the Local Government Act, for work done or services provided to land or improvements;
 - (b) fees imposed under the Community Charter related to fire and security alarm systems;
 - (c) amounts that a municipality is entitled to recover for work done or services provided to land or improvements.
- (3) Fees referred to in subsection (1) and (2);
- (a) may be collected in the same manner and with the same remedies as property taxes and;
 - (b) if due and payable by December 31 and unpaid on that date, is deemed to be taxes in arrear.
- (4) The Municipality will promptly notify the Surveyor of Taxes of the amount unpaid on December 31st and request that the amount be added to the taxes payable on the property.

ENFORCEMENT OF BYLAW

- 16** (1) If a Peace Officer finds any of the following circumstances in relation to real property, he or she may make an Order to ensure full and proper compliance with this bylaw:
- (a) a provision of this bylaw has been contravened or has not be complied with, or has been complied with improperly or only in part, or
 - (b) conditions exist in or about a building or property to which this bylaw applies, which constitute a fire hazard or otherwise constitute a hazard to life or property or both.
- (2) In particular, but without limiting the generality of Section 16 (1) of this bylaw, a Peace Officer may:
- (a) make the Orders to the Occupier s of the Premises or to any person responsible for the actions which created the contravention;
 - (b) make recommendations to the Occupier of the Premises about how to correct the contravention, ensure compliance with this bylaw or remove the conditions creating the hazards referred to in the Order; or
 - (c) issue a Bylaw Notice.
- (3) If the Occupier does not comply with an Order issued in respect of a condition referred to in Section 16 (1) of this bylaw, the Municipal Fire Chief may take appropriate action to mitigate the hazard and the Municipality may recover the Costs of doing so, in accordance with the Community Charter, from the Occupier or person responsible for the contravention.

- (4) An Order made under Section 16 (1) of this bylaw, shall be in writing in the form of either a fire inspection report or other written report and shall be directed to the Occupier of a Premises in respect of which the written Order is made.
- (5) An Order made under this bylaw, whether a fire inspection report or written report, shall be served by delivering it or causing it to be delivered to the person to whom it is directed. A copy of the Order will provided to Regional Fire Chief at that time.
- (6) An Occupier, after receipt of a fire inspection report, written report, or Bylaw Notice, shall comply with it.
- (7) The Municipal Fire Chief may, after the examination of any work referred to in section 16 (1), issue a written rejection of the work and the rejection shall have the same force and effect as an Order issued under Section 16 (1) of this bylaw.
- (8) The Municipality may recover from an Occupier, its Costs of doing work or providing services on behalf of or in default of the Occupier doing the work or providing the services, the Costs may be recovered in accordance with applicable provisions of the Community Charter.

PENALTY AND OFFENCE

- 17 (1) Any person who violates bylaw provisions may, on summary conviction, be liable to a minimum penalty of not less than one hundred dollars (\$100.00) and no more than ten thousand dollars (\$10,000), plus the cost of prosecution, pursuant to the *Offence Act of British Columbia*.
- (2) Penalties will double upon the number of offences past the 1st offence.
- (3) The penalties imposed under this section are a supplement and not a substitute for any other remedy to an infraction of this bylaw.
- (4) Penalties are subject to the conditions of any applicable RDCK Municipal Ticketing Information Bylaw and RDCK Bylaw Enforcement Notice and Dispute Adjudication System Bylaw as amended or replaced from time to time.
- (5) Each day’s continuance of an offence under this bylaw constitutes a new and distinct offence.

SEVERABILITY

- 18 If any portion of this bylaw is for any reason found invalid by decision of any court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this bylaw.

EFFECTIVE DATE

- 19 This Bylaw shall take effect upon adoption.

CITATION

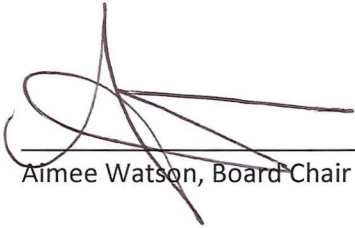
- 20 This Bylaw may be cited for all purposes as the “**Regional District of Central Kootenay Defined Area K (Rural Nakusp) Fire Service Regulation Bylaw No. 2742, 2021**”.

READ A FIRST TIME this 21st day of January, 2021

READ A SECOND TIME this 21st day of January, 2021

READ A THIRD TIME this 21st day of January, 2021

ADOPTED this 21st day of January, 2021.



Aimee Watson, Board Chair



Mike Morrison, Corporate Officer

SCHEDULE A – Fees For Services

Service	Fee
Onsite standby where Hazardous Materials are released, creating a life safety risk/hazard or fire/explosion risk at or near any premise, public land or public roadways.	\$50.00/hr per Member \$200/hr per piece of Apparatus
Assistance Response as a result of the presence of a hazardous substance or dangerous good on a Premises.	\$50.00/hr per Member \$200/hr per piece of Apparatus
Fire suppression or Assistance Response where the fire is willfully set and must be brought under control by the Fire Department;	\$50.00/hr per Member \$200/hr per piece of Apparatus
An Assistance Response that arises as a result of or in connection with the commission of an indictable offence under the Criminal Code of Canada, that must be brought under control by the Fire Department	\$50.00/hr per Member \$200/hr per piece of Apparatus
Assistance Response, fire watch, security and traffic control of a Premises, including attendance at Exposure Fire(s) that occur as a result of the use or modification of a Premises that does not comply with the requirements of the BC Building Code, the BC Fire Code, the Canadian Electrical Code, or any applicable bylaw of the Regional District.	\$50.00/hr per Member \$200/hr per piece of Apparatus
Attendance at an event where Members are required to conduct inspections, provide standby time, and Fire Department equipment because of the special event, whether before, after or during the special event;	\$50.00/hr per Member \$200/hr per piece of Apparatus
Traffic control, fire watch and security arising from an Assistance Response until such time the property is returned to the Occupier's control, including additional actual Costs for materials for providing the service.	\$50.00/hr per Member \$200/hr per piece of Apparatus

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2980

A Bylaw to amend Regional District of Central Kootenay Defined Area K (Rural Nakusp) Fire Service Regulation Bylaw No. 2742, 2021

WHEREAS the Regional District has established regulations for the provision of Fire Services in a Defined Portion of Rural Electoral Area K (Rural Nakusp) with the adoption of Regional District of Central Kootenay Volunteer Fire Service Regulation Bylaw No. 2742, 2021;

AND WHEREAS it is deemed expedient to amend Regional District of Central Kootenay Defined Area K (Rural Nakusp) Fire Service Regulation Bylaw No. 2742, 2021, to ensure compliance with the Fire Safety Act.

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

1. That Regional District of Central Kootenay Defined Area K (Rural Nakusp) Fire Service Regulation Bylaw No. 2742, 2021 be amended as follows

a) Section 1 Definitions be amended to include:

BC Fire Code means the British Columbia Fire Code, as adopted from time to time pursuant to the Fire Safety Act;

Fire Commissioner means the fire commissioner appointed pursuant to the Fire Safety Act;

Fire Safety Inspection means a fire inspection conducted by an Inspector in accordance with and as required under the Fire Safety Act or this bylaw;

Fire Investigation means a fire investigation conducted by an Investigator in accordance with and as required under the Fire Safety Act or this bylaw;

Fire Inspector means a person or class of persons designated by the Regional Fire Chief in accordance with and as required under the Fire Safety Act;

Fire Investigator means a person or class of persons designated by the Regional Fire Chief in accordance with and as required under the Fire Safety Act;

b) Section 1 Definitions be amended to delete:

LAFC means Local Assistant to the Fire Commissioner as defined in the Fire Services Act;

c) Section 1 Definitions be amended to delete definition of Fire Protection in its entirety and replaced with:

Fire Protection means all aspects of fire safety and includes:

- (a) Fire prevention;
- (b) Fire fighting;
- (c) Fire suppression;
- (d) Fire Safety Inspections;
- (e) pre-fire planning;
- (f) Fire Investigation;
- (g) inspecting, monitoring and advising on Hazardous Materials storage and handling;
- (h) public education and information in relation to fire safety and prevention; and
- (i) training, advising and other development of Members in relation to the activities listed as (a) to (h).

d) Section 5 Regional Fire Chief's Authority And Responsibilities Part 2 be deleted in it's entirety and replaced with:

- (2) The Regional Fire Chief is authorized to:
 - (a) enforce Regional District bylaws, rules, Orders and regulations;
 - (b) develop and enforce the agreements and contractual arrangements required for the provision of service;
 - (b) Review and make recommendations to the Board regarding the proposed budgets submitted for the provision of Fire Protection, Assistance Response and Associated Services; and
 - (c) delegate authority as required.

e) Section 6 Municipal Fire Chief's Authority And Responsibilities Part 4 be deleted in it's entirety and replaced with:

- (4) The Municipal Fire Chief is authorized to:
 - (a) administer this bylaw;
 - (b) enforce Regional District bylaws, rules, Orders and regulations respecting fire prevention and suppression and the protection of life and property and take measure to prevent and suppress fires;
 - (c) provide advice and make recommendation to the Regional Fire Chief, other Members of the Fire Department and the public, as appropriate, in relation to:
 - i. the provision of adequate water supply and pressure in relation to firefighting;
 - ii. the enforcement of measures for the prevention or suppression of fire and the protection of life and property.
 - (d) carry out the role of Fire Investigator; and
 - (e) carry out the role of Fire Inspector.

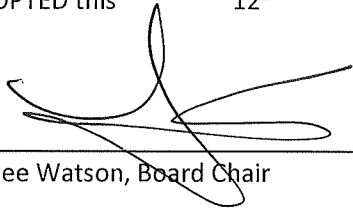
2. This Bylaw may be cited as **"Regional District of Central Kootenay Defined Area K (Rural Nakusp) Fire Service Regulation Amendment Bylaw No. 2980, 2024"**

READ A FIRST TIME this 17th day of October, 2024.

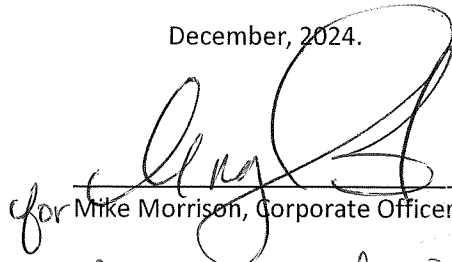
READ A SECOND TIME this 17th day of October, 2024.

READ A THIRD TIME this 12th day of December, 2024.

ADOPTED this 12th day of December, 2024.



Aimee Watson, Board Chair



for Mike Morrison, Corporate Officer

Angela Lund, Deputy
Corporate Officer